CITY OF ASHEVILLE RESOLUTION NO. _____

Resolution Calling For The City Of Asheville's Manager To Terminate The City’s Contract With Flock

Whereas, the City of Asheville operates eleven (11) automated license plate readers utilizing technology provided by Flock Safety ("Flock Technology") pursuant to a contract with Flock Safety; and

Whereas, Flock Technology captures and stores information concerning vehicles traveling on public roadways and may permit that information to be searched, analyzed, or shared for law-enforcement purposes; and

Whereas, the Asheville City Council recognizes that technology can be an important tool for investigating serious crimes and protecting public safety, but also recognizes the legitimate concerns raised by residents regarding privacy, data retention, data sharing, government surveillance, and access to information collected by Flock Technology; and

Whereas, City Council believes that the use of such technology should occur only pursuant to clear policies that appropriately balance legitimate public-safety needs with individual privacy and civil liberties and provide adequate transparency, oversight, and accountability; and

Whereas, City Council desires additional opportunity to evaluate the City's use of Flock Technology, including the circumstances under which Flock Technology data may be collected, retained, searched, accessed, or shared with other governmental or law-enforcement agencies;

Now, therefore, be it resolved by the City Council of the City of Asheville that:

Section 1. Flock Contract Termination. Effective immediately upon adoption of this Resolution, the City Council of the City of Asheville directs the City Manager to terminate the City’s contract with Flock Safety and pursuant to the contract terms, immediately request that Flock remove their hardware from the City of Asheville.

Section 2. Suspension of Access and Data Sharing. Further, the City Manager shall ensure that City employees do not access, search, query, analyze, or share data collected through the City's Flock Technology

Section 3. Existing Data. Existing data shall be retained, preserved, or deleted in

accordance with applicable law, City records-retention requirements, and any applicable legal preservation obligations. No existing data shall be affirmatively shared or queried.

Section 4. Facial Recognition Prohibited. The City of Asheville does not utilize any facial recognition technology. And, no data collected through the City's Flock Technology shall be linked, matched, or cross-referenced with any facial recognition technology or database operated by any non-City organization.

Section 5. Review. The City Manager is further directed to review the City's use of Flock Technology and provide City Council with information and policy recommendations concerning, at a minimum:

1. the categories of investigations for which Flock Technology may appropriately be used in the future;

2. appropriate restrictions on searches and access to Flock collected data;

3. Flock data retention and deletion;

4. sharing of Flock data with federal, state, local, and out-of-state law-enforcement agencies or other third parties;

5. include an independent civil-liberties policy reviewer with relevant experience advising North Carolina municipalities,

6. auditing and documentation of searches and access;

7. protection of information relating to immigration enforcement, reproductive healthcare, First Amendment-protected activity, and other sensitive activities to the maximum extent permitted by law;

8. transparency and public reporting regarding the City's use of Flock Technology;

9. mechanisms for oversight and accountability, including consequences for unauthorized use; and

10. whether the City should resume use of Flock Technology and, if so, what policies and safeguards should be adopted before such use resumes.

Section 6. No Expansion During Review. During the review described above, the City shall not purchase, lease, activate, or deploy Flock Technology or enter into a new agreement for Flock Technology.

Section 7. Effective Date. This Resolution shall become effective immediately upon its

adoption.

Read, approved and adopted this 25th day of August, 2026.

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Esther E. Manheimer, Mayor

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Brad Branham, City Attorney

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Magdalen Burleson, City Clerk